United Nations S/2015/810

Security Council

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The Security Council,

Recalling all its previous resolutions and statements of its President on the situation in Somalia and Eritrea, in particular resolutions 733 (1992), 1844 (2008), 1907 (2009), 2036 (2012), 2023 (2011), 2093 (2013), 2111 (2013), 2124 (2013), 2125 (2013), 2142 (2014), and 2182 (2014),

Taking note of the final reports of the Somalia and Eritrea Monitoring Group (the SEMG) (on Somalia (S/2015/801) and Eritrea (S/2015/802)) and their conclusions on the situations in both Somalia and Eritrea,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, Djibouti and Eritrea respectively,

Condemning any flows of weapons and ammunition supplies to and through Somalia in violation of the arms embargo on Somalia and to Eritrea in violation of the arms embargo on Eritrea, as a serious threat to peace and stability in the region,

Expressing concern that Al-Shabaab continues to pose a serious threat to the peace and stability of Somalia and the region,

Welcoming the improved relationship between the Federal Government of Somalia (FGS) and the SEMG, and *underlining* the importance of this relationship improving further and strengthening in the future,

Welcoming the efforts of the FGS to improve its notifications to the Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea ("the Committee"), and *looking forward* to further needed progress in the future, particularly in relation to post-delivery notifications, and *recalling* that improved arms and ammunition management in Somalia is a fundamental component of greater peace and stability for the region,

Underlining the importance of financial propriety in the run up to, and conduct of, elections in Somalia in 2016, and *stressing* the need for further efforts to fight corruption, promote transparency and increase mutual accountability in Somalia,

Expressing serious concern at reports of illegal fishing in waters where Somalia has jurisdiction, *underlining* the importance of refraining from illegal fishing, and *encouraging* the FGS, with the support of the international community, to ensure that fishing licenses are issued in a responsible manner and in line with the appropriate Somali legal framework,

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Expressing serious concern at the increasing difficulties in delivering humanitarian aid in Somalia, *condemning* in the strongest terms any party obstructing the delivery of humanitarian assistance, as well as the misappropriation or diversion of any humanitarian funds,

Recalling that the FGS has the primary responsibility to protect its population, and *recognising* the FGS' responsibility to build its own national security forces,

Taking note of the two videoconference meetings and three letters between the representative of the Government of Eritrea and the SEMG, expressing concern that the SEMG has not been able to visit Eritrea since 2011 and fully discharge its mandate *urging* the Government of Eritrea to deepen its cooperation with the SEMG, including through regular visits to Eritrea by the SEMG, and *underlining* that deepened cooperation will help the Security Council be better informed about Eritrea's compliance with the relevant Security Council resolutions,

Taking note that during the course of its current and previous mandate the SEMG has not found any evidence that the Government of Eritrea is supporting Al-Shabaab,

Expressing concern over reports by the SEMG of ongoing Eritrean support for certain regional armed groups, and *encouraging* the SEMG to provide further detailed reporting and evidence on this issue,

Underlining the importance it attaches to all Member States complying with the terms of the arms embargo imposed on Eritrea by resolution 1907 (2009),

Stressing its demand that Eritrea make available information, including to the SEMG, pertaining to the Djiboutian combatants missing in action since the clashes of 2008 so that those concerned may ascertain the presence and conditions of the Djiboutian prisoners of war, and *expressing* its hope that the mediation efforts of the State of Qatar helps lead to the resolution of this issue as well as the border dispute between Djibouti and Eritrea,

Determining that the situation in Somalia, as well as the dispute between Djibouti and Eritrea, continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the arms embargo on Somalia, imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) and modified by paragraphs 33 to 38 of resolution 2093 (2013) and paragraphs 4 to 17 of resolution 2111 (2013), paragraph 14 of resolution 2125 (2013), and paragraph 2 of resolution 2142 (2014) (hereafter referred to as "the arms embargo on Somalia");

2. *Decides* to renew the provisions set out in paragraph 2 of resolution 2142 (2014) until 15 November 2016, and in that context *reiterates* that the arms embargo on Somalia shall not apply to deliveries of weapons, ammunition or military equipment or the provision of advice, assistance or training, intended solely for the development of the Security Forces of the FGS, to provide security for the Somali people, except in relation to deliveries of the items set out in the annex of resolution 2111 (2013);

3. *Affirms* that the entry into Somali ports for temporary visits of vessels carrying arms and related materiel for defensive purposes does not amount to a delivery of such items in violation of the arms embargo on Somalia, provided that such items remain at all times aboard such vessels;

4. *Requests* the Committee, within 90 days of adoption of this resolution, to publish an implementation assistance notice summarising the arms embargo restrictions in place for Somalia and Eritrea, as well as outlining exemptions to the arms embargo;

5. *Reiterates* that weapons or military equipment sold or supplied solely for the development of the Security Forces of the Federal Government of Somalia may not be resold to, transferred to, or made available for use by, any individual or entity not in the service of the Security Forces of the Federal Government of Somalia, and *underlines* the responsibility of the Federal Government of Somalia to ensure the safe and effective management, storage and security of their stockpiles;

6. *Welcomes* in this regard the commencement, by the FGS, of a more rigorous weapons registration, recording and marking procedure, *expresses concern* at reports of continued weapons diversion from within the FGS, *notes* that further improved weapons management is vital in order to prevent the diversion of weapons, *calls upon* the FGS to conduct a baseline inventory of military equipment, arms and ammunition in the possession of the security forces of the FGS, assessed against their respective strength and needs, and *urges* Member States to support improved weapons and ammunition management and the establishment of a 'Joint Verification Team' to improve the capacity of the FGS to manage weapons and ammunition;

7. *Requests* the FGS to report to the Security Council by 15 April 2016 and then by 15 October 2016 in accordance with paragraph 9 of resolution 2182 (2014), and *calls on* the FGS to include more information in its reporting, including through the provision of full and accurate information on the structure, composition, strength and disposition of its security forces, including the status of regional and militia forces;

8. *Recalls* that the Federal Government of Somalia has the primary responsibility to notify the Committee, pursuant to paragraphs 3 to 8 of resolution 2142 (2014), *welcomes* the efforts of the FGS in improving its notifications to the Committee, and *calls upon* the FGS to improve the timeliness and content of notifications regarding the completion of deliveries, as set out in paragraph 6 or resolution 2142 (2014) and the destination unit upon distribution of imported arms and ammunition, as set out by paragraph 7 of resolution 2142 (2014);

9. *Underlines* the importance of Member States coordinating with the Office of the National Security Adviser of Somalia, which coordinates FGS reporting obligations to the Security Council pursuant to the notification procedures set out in paragraphs 3 to 7 of resolution 2142 (2014), and *underlines* the need for Member States to strictly follow the notification procedures for providing assistance to develop Somali security sector institutions;

10. *Urges* cooperation between AMISOM and the Somali National Army (SNA), as set out in paragraph 6 of resolution 2182 (2014), to document and register all military equipment captured as part of offensive operations or in the course of

carrying out their mandates, involving other Security Forces of the Federal Government of Somalia as appropriate;

11. *Calls upon* the FGS to enhance civilian oversight of its security forces, in particular through investigation and prosecuting individuals responsible for violations of international humanitarian law, and in this context *recalls* the importance of the Secretary-General's Human Rights and Due Diligence Policy in relation to the support provided by the UN to the Somali National Army;

12. *Underlines* the importance of timely and predictable payment of salaries to the Somali security forces and *encourages* the FGS to implement systems to improve the timeliness and accountability of payments to Somali security forces;

13. *Further reaffirms* the arms embargo on Eritrea imposed by paragraphs 5 and 6 of resolution 1907 (2009) (hereafter referred to as "the arms embargo on Eritrea");

14. *Expresses concern* at the continued reports of corruption and diversion of public resources which pose a risk to state-building efforts, *expresses serious concern* at reports of financial impropriety involving members of the Federal Government, Regional Administrations and Federal Parliament, which pose a risk to state-building efforts, and in this context *underlines* that individuals engaged in acts which threaten the peace and reconciliation process in Somalia may be listed for targeted measures;

15. *Welcomes* the efforts which the FGS has made in order to improve its financial management procedures including engagement between the FGS and the International Monetary Fund (IMF), and *encourages* prompt implementation of IMF-recommended reforms to support the commencement of a Staff Monitored Programme; the development of the Somali Financial Management Information System; and the forthcoming independent review of the Financial Governance Committee;

16. *Reaffirms* Somalia's sovereignty over its natural resources;

17. *Reiterates its serious concern* that the petroleum sector in Somalia could be a driver for increased conflict, and in that context *underlines* the vital importance of the FGS putting in place, without undue delay, a resource-sharing arrangement and credible legal framework to ensure that the petroleum sector in Somalia does not become a source of increased tension;

18. *Reaffirms* the ban on the import and export of Somali charcoal, as set out in paragraph 22 of resolution 2036 (2012) ("the charcoal ban"), *condemns* the ongoing export of charcoal from Somalia, in violation of the total ban on the export of charcoal from Somalia, and *reiterates* that the Somali authorities shall take the necessary measures to prevent the export of charcoal from Somalia, and *further reiterates* its requests in paragraph 18 of resolution 2111 (2013), that AMISOM support and assist the Somali authorities in doing so, as part of AMISOM's implementation of its mandate set out in paragraph 1 of resolution 2093;

19. *Welcomes* the efforts of the Combined Maritime Forces (CMF) in their efforts to disrupt the export and import of charcoal to and ›m Somalia, and *further welcomes* the cooperation between the SEMG and CMF in keeping the Committee informed on the charcoal trade;

20. *Expresses concern* that the charcoal trade provides funding for Al-Shabaab, and in that context *reiterates* paragraphs 11 to 21 of resolution 2182 (2014), and *further decides* to renew the provisions set out in paragraph 15 of resolution 2182 (2014) until 15 November 2016;

21. *Encourages* the UN Office on Drugs and Crime to continue its work, within its current mandate, under the Indian Ocean Forum on Maritime Crime to bring together relevant Member States and international organisations to develop strategies to disrupt the trade in Somali charcoal;

22. *Expresses* serious concern at the deterioration of the humanitarian situation in Somalia, *condemns* in the strongest terms increased attacks against humanitarian actors and any misuse of donor assistance and the obstruction of the delivery of humanitarian aid, and reiterates paragraph 10 of resolution 2158 (2014) in this regard;

23. *Decides* that until 15 November 2016 and without prejudice to humanitarian assistance programmes conducted elsewhere, the measures imposed by paragraph 3 of resolution 1844 (2008) shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia, by the United Nations, its specialized agencies or programmes, humanitarian organizations having observer status with the United Nations General Assembly that provide humanitarian assistance, and their implementing partners including bilaterally or multilaterally funded NGOs participating in the United Nations Humanitarian Response Plan for Somalia;

24. *Requests* the Emergency Relief Coordinator to report to the Security Council by 15 October 2016 on the delivery of humanitarian assistance in Somalia and on any impediments to the delivery of humanitarian assistance in Somalia, and *requests* relevant United Nations agencies and humanitarian organizations having observer status with the United Nations General Assembly and their implementing partners that provide humanitarian assistance in Somalia to increase their cooperation and willingness to share information with the United Nations;

25. *Welcomes* the SEMG's ongoing and significant efforts to engage with the Government of Eritrea, in that context *recalls* the two meetings by video conference between the Representative of the Government of Eritrea and the SEMG, *reiterates* its expectation that the Government of Eritrea will facilitate the entry of the SEMG to Eritrea, to discharge fully its mandate, in line with its repeated requests, including in paragraph 52 of resolution 2182 (2014); and *underlines* that deepened cooperation will help the Security Council be better informed about Eritrea's compliance with the relevant Security Council resolutions;

26. *Calls on* Eritrea to cooperate with the SEMG, including on public finance issues, in accordance with the SEMG's mandate, in order to demonstrate that Eritrea is not violating the terms of relevant Security Council resolutions;

27. *Urges* the Government of Eritrea to allow access or provide information, including to the SEMG, on the Djiboutian prisoners of war missing in action since the clashes of 10 to 12 June 2008, and *expresses* its hope that the mediation efforts led by the State of Qatar helps lead to the resolution of this issue and the dispute between Eritrea and Djibouti;

28. *Recalls* resolution 1844 (2008) which imposed targeted sanctions and resolutions 2002 (2011) and 2093 (2013) which expanded the listing criteria, and notes one of the listing criteria under resolution 1844 (2008) is engaging in acts that threaten the peace, security or stability of Somalia;

29. *Reiterates* its willingness to adopt targeted measures against individuals and entities on the basis of the above mentioned criteria;

30. *Requests* Member States to assist the Monitoring Group in their investigations, and reiterates that obstructing the investigations or work of the Monitoring Group is a criterion for listing under paragraph 15 (e) of resolution 1907 (2009);

31. *Decides* to extend until 15 December 2016 the mandate of the Somalia and Eritrea Monitoring Group as set out in paragraph 13 of resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013), *expresses its intention* to review the mandate and take appropriate action regarding the further extension no later than 15 November 2016, and *requests* the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group, in consultation with the Committee, until 15 December 2016, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to previous resolutions;

32. *Requests* the Monitoring Group to provide monthly updates to the Committee, and a comprehensive midterm update, as well as to submit, for the Security Council's consideration, through the Committee, two final reports; one focusing on Somalia, the other on Eritrea by 15 October 2016, covering all the tasks set out in paragraph 13 of resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013) and paragraph 15 of resolution 2182 (2014);

33. *Requests* the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities to consider the recommendations contained in the reports of the Monitoring Group and recommend to the Council ways to improve the implementation of and compliance with the Somalia and Eritrea arms embargoes, the measures regarding the import and export of charcoal from Somalia, as well as implementation of the measures imposed by paragraphs 1, 3 and 7 of resolutions 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) in response to continuing violations;

34. *Decides* to remain seized of the matter.